

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACQUELYN K. CHU,

Plaintiff,

v.

Case No. 15-14357

THE PAUL REVERE LIFE
INSURANCE COMPANY,

HON. AVERN COHN

Defendant.

**ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT, (Doc. 11),
AND DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, (Doc. 13)**

This is a disability insurance case. On February 1, 2017, the Court held a hearing on Plaintiff's Motion for Summary Judgment under Fed. R. Civ. P. 56, (Doc. 11), and Defendant's cross Motion for Summary Judgment, (Doc. 13). For the reasons stated on the record as supplemented by this order, plaintiff's motion is GRANTED and defendant's motion is DENIED. *See Morinelli v. Provident Life & Acc. Ins. Co.*, 242 Mich. App. 255, 261-64 (Mich. Ct. App. 2000) (*citing* 10A Couch, Insurance, 3d, § 146) ("Care 'appropriate for the condition causing the disability' is care that is necessary and causally related to the condition forming the basis of the disability claim.").

There is no evidence in the record to support a finding that carpal tunnel

syndrome surgery will enable plaintiff to return to the practice of dentistry and particularly to perform the important duties associated with that profession.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: February 7, 2017
Detroit, Michigan